



July 28, 2005

Highlights of the Conference Report to Accompany H.R. 2361 – Department of the Interior, Environment, and Related Agencies Appropriations Bill, 2006

On July 26, the Conference Report to Accompany H.R. 2361, H. Rept. 109-188 was filed.

Noteworthy

- At press time, the House is expected to vote on H.R. 2361 Thursday afternoon, with Senate action to follow.
- The Conference Report provides \$26.20 billion in new (obligational) authority for FY06, which is \$477.2 million above the President's request. In addition, \$1.5 billion in supplemental funds for FY05 have been included for Veterans medical care, though these funds have not been designated as emergency funds.
- Due to the Appropriations Subcommittee reorganization, this year's bill includes funding for the Environmental Protection Agency (EPA).
- Section 439 includes a 0.476 percent rescission of FY06 budget authority for Titles I through IV.
- The Conference Report provides \$2.55 billion for wildland fire management activities, including \$766.6 million for the Bureau of Land Management.
- The Conference Report provides \$900.0 million for the Clean Water State Revolving Fund, which is \$170.0 million above the Administration's request, but \$191.2 million below the FY05 enacted level.

Highlights

(in millions of dollars)

<u>Title</u>	<u>President's Request</u>	<u>Senate- Passed</u>	<u>Conference Recommendation</u>
Title I—Interior Department	\$9,792	\$9,878	\$9,868
Title II—EPA	\$7,521	\$7,882	\$7,732
Title III—Related Agencies	\$8,412	\$8,507	\$8,669
Total¹	\$25,724	\$26,267	\$26,201

Bill Provisions

Title I – Department of Interior

Conference Report: Provides \$9.93 billion for the Department of Interior.

Senate-Passed Bill: Provided \$9.9 billion for the Department of Interior, which is nearly \$85.7 million more than the Administration's request, but nearly \$77.5 million below the FY05 enacted level. Significant spending accounts include:

Bureau of Land Management (BLM):

Conference Report: Provides \$1.78 billion for the BLM.

Senate-Passed Bill: Provided \$1.8 billion for the BLM, which is nearly \$29.3 million above the Administration's request, but \$28.6 million below the FY05 enacted level. Included within this amount is: \$867 million for **Management of Land and Resources**; \$766.6 million for **Wildland Fire Management**; and \$12.3 million for **land acquisition**.

U.S. Fish and Wildlife Service (FWS):

Conference Report: Provides \$1.33 billion for the FWS.

Senate-Passed Bill: Provided \$1.3 billion for the FWS, which is \$7.9 million below the Administration's request and \$17.6 million below the FY05 enacted level. Included

¹ Totals include mandatory spending. The Conference total actually adds \$26.327 billion, but that is before the across the board rescission of 0.476 percent.

within this amount is: \$993.5 million for **Resource Management**; \$25.0 million for the **Landowner Incentive Program**; \$80.0 million for the **Cooperative Endangered Species Conservation Fund**; \$14.4 million for the **National Wildlife Refuge system**; \$31.8 million for **construction**; \$40.8 million for **land acquisition**; \$4.0 million for **Neotropical Migratory Bird Conservation**; \$6.5 million for the **Multinational Species Conservation Fund**; and \$72.0 million for **State and Tribal Wildlife grants**.

National Park Service (NPS):

Conference Report: Provides \$2.29 billion for the NPS.

Senate-Passed Bill: Provided \$2.3 billion for NPS programs, which is \$64.1 million above the Administration's request, but \$52.4 million below the FY05 enacted level. Included within this amount is: \$1.7 billion for **NPS operations** (\$65.0 million increase); \$56.7 million for **national recreation and preservation** including \$13.6 million for **Heritage Partnership Programs**; \$72.5 million for the **Historic Preservation Fund**; and \$299.2 million for **construction**.

U.S. Geological Survey (USGS):

Conference Report: Provides \$976.0 million for the USGS.

Senate-Passed Bill: Provided \$963.1 million for the USGS, which is \$29.5 million above the Administration's request and \$18.5 million above the FY05 enacted level.

Minerals Management Service (MMS):

Conference Report: Provides \$160.7 million for the MMS.

Senate-Passed Bill: Provided \$159.5 million for the MMS, which is \$7.9 million below the Administration's request and \$14.3 million below the FY05 enacted level. Included within these funds is \$152.5 million for **Royalty and Offshore Minerals Management** and \$7.0 million for **Oil Spill Research**.

Office of Surface Mining Reclamation and Enforcement:

Conference Report: Provides \$298.5 million for the Office of Surface Mining Reclamation and Enforcement.

Senate-Passed Bill: Provided \$298.5 million for the Office of Surface Mining Reclamation and Enforcement, which is \$58 million below the Administration's request, but nearly \$2.0 million above the FY05 enacted level.

Bureau of Indian Affairs (BIA):

Conference Report: Provides \$2.31 billion for the BIA.

Senate-Passed Bill: Provided \$2.3 billion for the BIA, which is \$81.9 million above the Administration's request, but \$26.3 million below the FY05 enacted level. Included within these funds is: nearly \$2.0 billion for the **Operation of Indian Programs**; \$267.1 million for **construction**; \$24.8 million for **Indian Land and Water Claims Settlements and Miscellaneous Payments to Indians**; and \$6.3 million for the **Indian guaranteed loan program**.

Assistance to Territories:

Conference Report: Provides \$76.9 million for Assistance to Territories.

Senate-Passed Bill: Provided \$76.7 million for assistance to territories, which is \$2.4 million above the Administration's request and \$1.1 million above the FY05 enacted level.

General Provisions:

Conference Report: Title I includes a number of general provisions on a range of issues. Of note, Sections 104-106 prohibit the use of funds provided in the act for certain offshore leasing and related activities pursuant to the revised five-year plan for **Outer Continental Shelf oil and gas leasing**. Section 121 allows the **National Indian Gaming Commission** to collect \$12.0 million in fees for FY07. Section 126 continues language providing that the final winter use rules for **Yellowstone National Park**, published in the Federal Register on November 10, 2004, shall be in effect for the winter season of 2005-2006.

Title II – Environmental Protection Agency (EPA)

Conference Report: Provides \$7.73 billion for the EPA.

Senate-Passed Bill: Provided \$7.9 billion for the EPA, which is \$361.4 million above the Administration's request, but \$144.5 million below the FY05 enacted level. Significant spending accounts include:

Science and Technology:

Conference Report: Provides \$741.7 million for Science and Technology.

Senate-Passed Bill: Provided \$730.8 million for Science and Technology, which is \$29.8 million below the Administration's request and \$13.3 million below the FY05

enacted level. Included within these funds is: \$17.7 million for **climate protection program** and \$39.6 million for **Homeland security**.

Environmental Programs and Management:

Conference Report: Provides \$2.38 billion for Environmental Programs and Management.

Senate-Passed Bill: Provided \$2.3 billion for Environmental Programs and Management, which is \$20.3 million below the Administration's request, but \$38.5 million above the FY05 enacted level. Included within these funds is: \$25.0 million for **brownfields**; \$94.5 million for **climate protection**; \$176.4 million for **enforcement**; \$125.3 million for the **Resource Conservation and Recovery Act (RCRA)**; \$7.7 million for **(Leaking) Underground Storage Tanks (LUST/UST)**; and \$202.3 million for **Water Quality Protection**.

Building and Facilities:

Conference Report: Provides \$40.2 million for Buildings and Facilities.

Senate-Passed Bill: Provided \$40.2 million for Buildings and Facilities, which is equal the Administration's request, but \$1.5 million below the FY05 enacted level.

Hazardous Substance Superfund:

Conference Report: Provides \$1.26 billion for the Hazardous Substance Superfund.

Senate-Passed Bill: Provided \$1.3 billion for the Hazardous Substance Fund, which is \$23.2 million below the Administration's request, but \$8.7 million above the FY05 enacted level. Included within these funds is: \$189.7 million for **enforcement**; \$38.5 million for **Homeland security**; and \$849.8 million for **Superfund Cleanup**, which is \$2.0 million above the FY05 enacted level.

Leaking Underground Storage Tanks (LUST):

Conference Report: Provides \$73.0 million for LUST program.

Senate-Passed Bill: Provided \$73.0 million for the LUST program, which is equal the Administration's request and \$3.6 million above the FY05 enacted level.

Oil Spill Response:

Conference Report: Provides \$15.9 million for Oil Spill Response.

Senate-Passed Bill: Provided \$15.9 million for Oil Spill Response, which is equal to the Administration's request, but slightly under the FY05 enacted level.

State and Tribal Assistance Grants (STAG):

Conference Report: Provides \$3.18 billion for STAG.

Senate-Passed Bill: Provided \$3.4 billion for STAG, which is \$434.8 million more than the Administration's request, but nearly \$180.0 million below the FY05 enacted level. Included in this funding is \$1.1 billion for the **Clean Water State Revolving Fund**, which is \$370.0 million above the Administration's request and \$8.8 million above the FY05 enacted level.

Title III – Related Agencies

Conference Report: Provides \$8.67 billion for Related Agencies.

Senate-Passed Bill: Provided \$8.5 billion for related agencies, which is \$95.2 million above the Administration's request, but \$529.1 million below the FY05 enacted level. Significant spending accounts include:

Forest Service (U.S. Department of Agriculture):

Conference Report: Provides \$4.26 billion for the Forest Service.

Senate-Passed Bill: Provided \$4.1 billion for the Forest Service, which is \$57.8 million above the Administration's request, but \$647.8 million below the FY05 enacted level. Included within these funds is: \$1.7 billion for **Wildland Fire Management**, which is \$301.3 million above the Administration's request²; \$280.9 million for **forest and rangeland research**, which is \$4.5 million above the FY05 enacted level; \$254.6 million for **state and private forestry**, which is \$1.2 million above the Administration's request, but nearly \$87.0 million below the FY05 enacted level; \$1.4 billion for the **National Forest System**, which is \$273.7 million below the Administration's request due to the decision to maintain hazardous fuels funds in the Wildland Fire Management account, and \$15.3 million below the FY05 enacted level; \$409.8 million for **Capital Improvement and Maintenance**; and \$44.9 million for **Land Acquisition**, which is \$4.9 million above the Administration's request, but \$16.1 million below the FY05 enacted level.

Department of Health and Human Services:

Conference Report: Provides \$3.25 billion for the Department of Health and Human Services.

² Of this increase, \$281.0 million is explained by keeping the hazardous fuels reduction program in the fire account instead of moving it to the national forest system appropriation as proposed by the Administration.

Senate-Passed Bill: Provided \$3.2 billion for the Department of Health and Human Services, which is \$20.0 million above the Administration's request and \$83.3 million above the FY05 enacted level. Included within these funds is: \$2.7 billion for **Indian Health Services**, which is a slight increase above the Administration's request and \$135.8 million above the FY05 enacted level; \$335.6 million for **Indian Health Facilities**, which is nearly \$20.0 million above the Administration's request; and \$80.3 million for the **National Institute of Environmental Health Services**, which is equal the Administration's request and \$447,000 above the FY05 enacted level.

Chemical Safety and Hazard Investigation Board:

Conference Report: Provides \$9.2 million for the Chemical Safety and Hazard Investigation Board.

Senate-Passed Bill: Provided \$9.2 million for the Chemical Safety and Hazard Investigation Board, which is equal to the Administration's request, but \$224,000 below the FY05 enacted level.

Office of Navajo and Hopi Indian Relocation:

Conference Report: Provides \$8.60 million for the Office of Navajo and Hopi Indian Relocation.

Senate-Passed Bill: Provided \$8.6 million for the Office of Navajo and Hopi Indian Relocation, which is equal to the Administration's request and \$3.7 million above the FY05 enacted level.

Smithsonian Institution:

Conference Report: Provides \$624.3 million the Smithsonian Institution.

Senate-Passed Bill: Provided \$624.1 million for the Smithsonian Institution, which is \$9.1 million above the Administration's request and nearly \$9.0 million above the FY05 enacted level.

National Gallery of Art:

Conference Report: Provides \$112.8 million for the National Gallery of Art.

Senate-Passed Bill: Provided \$111.6 million for the National Gallery of Art, which is \$1.7 million below the Administration's request, but nearly \$9.0 million above the FY05 enacted level.

John F. Kennedy Center for the Performing Arts:

Conference Report: Provides \$30.8 million for the John F. Kennedy Center for the Performing Arts.

Senate-Passed Bill: Provided \$33.0 million for the John F. Kennedy Center for the Performing Arts, which is equal to the Administration's request, but slightly below the FY05 enacted level.

National Foundation on the Arts and Humanities:

Conference Report: Provides \$269.3 million for the National Foundation on the Arts and Humanities.

Senate-Passed Bill: Provided \$269.3 million for the National Foundation on the Arts and Humanities, which is \$10 million above both the Administration's request and the FY05 enacted level. Included within these funds is: \$126.3 million for the **National Endowment of the Arts** and \$143.1 million for the **National Endowment of the Humanities**.

United States Holocaust Memorial Museum:

Conference Report: Provides \$42.8 million for the United States Holocaust Memorial Museum.

Senate-Passed Bill: Provided \$43.2 million for the United States Holocaust Memorial Museum, which is equal to the Administration's request and \$2.4 million above the FY05 enacted level.

Title IV – General Provisions

Title IV is composed of General Provisions concerning a mining patent moratorium, forest health management, competitive sourcing, condemnation, and other issues. Notably, **Section 439** includes a 0.476 percent rescission of FY06 budget authority for Titles I through IV.

Title V – Forest Service Facility Realignment and Enhancement Act

The conference report modifies legislation recommended by the Senate in Title V. This provision allows the Forest Service to dispose of administrative facilities that are no longer needed and use all of the revenue to reduce the administrative-site deferred maintenance backlog. This improves the Service's ability to realign facilities to meet the needs of the workforce and the Nation.

The legislation authorizes the Secretary of Agriculture to sell, lease, exchange or combine a sale and exchange of certain administrative sites the Secretary determines are no longer needed for National Forest System purposes. The legislation incorporates new authorities for streamlining regulations to facilitate the timely disposal of administrative sites and to improve the marketability of the sites. All receipts derived from the conveyance of administrative sites and facilities shall be deposited in the Sisk Act fund and remain available to the Secretary until expended, without further appropriations. These funds will be used for the administrative costs incurred in conveying sites; the acquisition of land for administrative sites; and for the decommissioning, construction, maintenance, rehabilitation, and improvement of administrative sites.

Title VI – Veterans Health Care

Title VI provides \$1.50 billion for Medical Services at the Department of Veterans Affairs for fiscal year 2005.

Note: A mid-year review conducted by the Department of Veterans Affairs revealed that the agency will need approximately \$1.3 billion more for FY05 than had originally been requested for health care matters. The shortfall came from the unexpected increase of 2005 medical costs from an increased demand for healthcare, both from the veterans' population in general, and from veterans returning from current combat theatres in particular. On June 29, the Senate voted unanimously to pass the Santorum Amendment (S. Amend. 1071) to H.R. 2361, which added \$1.5 billion in FY05 funds for veterans medical care. On June 30, the House unanimously passed H.R. 3130, which added \$975 million in supplemental appropriations for fiscal year 2005 for veterans medical services.

Section 601: The conferees agree that the amount provided will be available until September 30, 2006. The conferees note that the fiscal year 2006 budget amendment submitted to the Congress on July 14, 2005 included additional fiscal year 2005 requirements for Medical Services. The conferees agree, that prior to completion of the fiscal year 2006 appropriations Act for the Department of Veterans Affairs, the House and Senate subcommittees of jurisdiction will continue to evaluate and adjust the funding level required for fiscal year 2006 based upon most current information available.

President's Program Terminations

(in millions of dollars)

Program	Classification	2005 Enacted	2006 Request	House Allowance	Committee Recommendation	Conference Report
Forest Service Capital Improvement and Maintenance Reduction	Reduction	515	381	468	410	441
Forest Service Wildland Fire Management (incl. supp. and emergency funding)	Reduction	2,097	1,444	1,791	1,746	1,779
Forest Service Economic Action Program	Termination	19	0	8	14	10
National Heritage Area Grants	Reduction	15	5	15	13	13
USGS, Mineral Resources Program	Reduction	54	25	54	54	54
BIA School Construction	Reduction	263	174	226	199	216
Payments in Lieu of Taxes	Reduction	227	200	242	235	236
Rural Fire Assistance	Termination	10	0	5	10	10
NPS Statutory Aid	Termination	11	0	0	8	7
LWCF State Recreation Grants (NPS)/Assistance to the States	Termination	90	0	2	30	30
BLM Jobs-in- the-Woods Program	Termination	6	0	0	0	0
Alaska Native Villages	Reduction	45	15	15	40	35
Clean Water State Revolving Fund	Reduction	1,091	730	850	1,100	900
Water Quality Cooperative Agreements	Termination	17	0	15	0	15